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Chairman: Mr. Yañez-Barnuevo (Spain)
later: Mr. Hmoud (Vice-Chairman) (Jordan)

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The meeting was called to order at 10.10 a.m.

Agenda item 108: Measures to eliminate international terrorism *(continued)* (A/59/894, A/60/37, A/60/164, A/60/228, A/C.6/60/2 and A/C.6/60/3)

1. **Mr. Latheef** (Maldives) said that recent events in Indonesia, Iraq and London highlighted the importance of international cooperation in fighting the evil menace of terrorism, and in particular, the role the United Nations must play in evolving an international strategy to root it out. Acts aimed at terrorizing people, wherever they occurred in the world, should be treated with equal seriousness and vigilance, and action should be taken, against both the perpetrators and those who aided and harboured them or benefited from their activities.

2. For Maldives, any terrorist attack brought back memories of the carnage caused by terrorists in that country almost two decades before. Every year since, his delegation had urged effective and timely international cooperation to combat terrorism. Maldives had strengthened its national legal framework to counter terrorism, and terrorists could no longer find a safe haven on its shores. It was a party to several regional and international counter-terrorism conventions. However, the limited human and financial resources at the disposal of Maldives, a small State, hampered its ability to combat that growing threat. It was therefore vital for the international community to assist such countries in strengthening their institutional capacity and to provide technical assistance to enable them to prevent and combat terrorism. Until the smallest and weakest country was secure, global and comprehensive peace and security would be difficult to achieve.

3. His Government maintained that increased interaction, consultation and cooperation were essential for establishing effective security arrangements and legal frameworks to complement international efforts. It was pleased to note, in that regard, that the South Asian Association for Regional Cooperation (SAARC) Regional Convention on Suppression of Terrorism had entered into force. The resolve of the international community to combat terrorism was reflected in the 2005 World Summit Outcome. The time had come to work hard and build consensus on that issue and it was to be hoped that the draft comprehensive convention on international terrorism would be adopted by the General Assembly at the current session.

4. **Mr. Baja** (Philippines) said that his country participated actively in the efforts of the Association of Southeast Asian Nations (ASEAN) to combat international terrorism. The recent attack in Indonesia demonstrated the need for rapid strengthening of international counter-terrorism efforts. Despite the numerous international counter-terrorism treaties negotiated since the 1970s, the mass murder of innocent people for political and ideological objectives continued. Noting Security Council resolution 1624 (2005) and the activities of the relevant ad hoc Security Council committees, he said that the time had come for the Sixth Committee to adopt the draft comprehensive convention on international terrorism.

5. The Philippines had not been spared, from violent terrorist attacks, and it had fought back with vigilance, bilateral and regional security networks and inter-faith dialogue. It had also negotiated a web of bilateral and trilateral cooperative agreements, in a range of areas including information exchange and border security patrols, with ASEAN member countries and its dialogue partners in their efforts to interdict terrorists both on land and sea. Comprehensive measures should be taken to eliminate safe havens for terrorists and deny funding for their activities. Those measures should include projects aimed at eliminating poverty, reducing disenfranchisement, protecting liberties and safeguarding human rights and promoting development. The Philippines believed that to combat terrorism it was important to win hearts and minds.

6. The draft comprehensive convention on international terrorism which would, among other things, provide the legal backbone for countries unable to take counter-terrorism measures on their own, should be adopted on an urgent basis. The International Convention for the Suppression of Acts of Nuclear Terrorism, which the Philippines had signed, would not only prove to be an effective instrument, but also symbolized the ability of Member States to find common ground in the pursuit of a worthy goal. It should also encourage States to adopt the draft comprehensive convention on international terrorism. Curbing terrorism, however, would require resources. Although terrorists aimed to divide peoples and thrived on their differences, his Government believed the United Nations could find common ground to defeat a

common adversary and must stand united in its common goal to rid the world of terrorism.

7. **Mr. Medrek** (Morocco) said that recent events in London and Indonesia had called attention once again to the threat posed by terrorism to international peace and security. Terrorism had been firmly condemned at the 2005 World Summit, and Morocco believed that the United Nations was the appropriate forum for developing a coordinated response of all States in combating terrorism. In that regard, he recalled that the Sixth Committee had adopted the International Convention for the Suppression of Acts of Nuclear Terrorism — which had strengthened the existing legal regime for countering terrorism — under a Moroccan Chairman. There were still gaps in that regime, however, and therefore no effort should be spared in concluding at the current session the comprehensive convention on international terrorism, which would complement existing sectoral conventions, while preserving their individual strengths. It was nevertheless necessary to clarify the relationship between the comprehensive convention and the sectoral conventions, and to adopt a universal legal definition of terrorism. Under the chairmanship of Morocco, the Sixth Committee had held informal consultations the previous summer in which progress had been made in resolving a number of controversial issues related to the definition of terrorism. His Government believed that consensus on the comprehensive convention was within reach if the various areas of international law in question could be clearly distinguished. In any event, no effort should be spared to reach a conclusion before the end of 2005.

8. It was essential to be aware that individual actions of States were no longer sufficient and would be ineffective in confronting the magnitude of the threat. The success of any common action would depend on active solidarity among all States and the implementation of a multifaceted global strategy. In developing such a strategy, however, it was important to confront the factors contributing to terrorism while at the same time ensuring respect for international law and human rights.

9. His Government had worked continually, steadfastly and unambiguously to combat terrorism, and would continue to do so, whatever the causes or motivations and whoever the perpetrators: terrorism did not arise from any particular country, religion or culture. Morocco, which on 15 May 2003 had been the victim of unprecedented terrorist attacks, understood the scope of the challenge. It had undertaken a long-term programme to strengthen the process of democratic development, which had been the true target of those criminal attacks, including measures to bolster national legislation, such as, inter alia, the adoption of a counter-terrorism act which defined a terrorist crime, provided for the relevant punishments, set police and legal procedures, and addressed financing for terrorism, in conformity with the International Convention for the Suppression of the Financing of Terrorism. In addition, an act on money-laundering was currently being adopted.

10. Morocco's national efforts to combat terrorism were bolstered by a regional approach that had been strengthened and fine-tuned, involving regional organizations and African, Arab and Euro-Mediterranean strategic partners and allies, and by bilateral agreements in the areas of judicial assistance and extradition. Morocco was a party to virtually all the international legal instruments either directly or indirectly related to terrorism and fully supported Security Council resolutions on terrorism, having submitted all relevant country reports within the established time-frames. In addition, Morocco had been the first country to accept a visit from members of the Committee against Torture; that had taken place in March 2005.

11. Morocco urged the members of the Ad Hoc Committee on Terrorism and concerned Member States to set aside their differences and try, for one last time, to reach a consensus on the draft comprehensive convention on international terrorism.

12. **Mr. Lavalle-Valdés** (Guatemala) said that his country, El Salvador and Mexico had suffered significant losses in the wake of the recent natural disaster; he offered his condolences to the two latter countries, as well as to India and Pakistan, which had also been struck by catastrophe in recent days.

13. He would like to add some observations to the statement made by Argentina on behalf of the Rio Group. Terrorism, in the view of Guatemala, was an execrable phenomenon and a challenge for all of humanity. All terrorist actions were aimed, intentionally and without justification, at the lives of persons or the destruction of property. That could not, however, give the full picture of its evil. A common criminal rarely planned to carry out massacres and

destruction of the greatest possible magnitude, and if he did, he did not enjoy the support of other persons and could not acquire sophisticated means for carrying them out. Horrifyingly, weapons of mass destruction, which were not available to common criminals, were available to terrorists.

14. Special national and international measures were thus warranted. It should be remembered that terrorists could draw on the exorbitant earnings of common criminals, notably those engaged in drug trafficking or transnational organized crime, to finance their activities. It was also worth noting that some sectors of the population were sympathetic to the aims of terrorists, whereas that was not the case for common criminals. Terrorists could therefore acquire resources from formally legal organizations pursuing legal purposes.

15. In addition, terrorist acts almost always had an international dimension. It was rare that a terrorist action using bombs was not covered by article 3 of the International Convention for the Suppression of Terrorist Bombings; and, since explosives were the favourite material of terrorists, that instrument thus became a kind of general treaty against terrorism. The definitions of terrorism contained in the Convention for the Prevention and Punishment of Terrorism, of 1937, and a similar draft treaty presented in the United Nations in 1973, characterized terrorism as a crime against a State. That idea was not embodied explicitly in the treaties, declarations and resolutions adopted since 1970 by the United Nations, the specialized agencies and the International Atomic Energy Agency (IAEA).

16. However, terrorist attacks almost always were, or seemed to be, directed against particular States. In addition, terrorists often organized their activities in, or received assistance from, States other than those where the crime was committed, which might suggest some complicity or neglect on the part of the authorities of those countries. Furthermore, it was clear, despite the often confused motives of terrorists, that those motives tended to exacerbate passions incompatible with harmony among nations.

17. The numerous regional and international texts adopted, including the 2005 World Summit Outcome, were inadequately coordinated; for example, the lack of uniformity among definitions of terrorism, and the unsatisfactory drafting of those definitions. In addition, Security Council resolution 1373 (2001), the principal proactive measure for combating international terrorism, possibly contained no definition at all. That omission had been discovered before the adoption of resolution 1566 (2004), which did contain a definition. It therefore seemed that the definition contained in resolution 1566 (2004) should also apply to resolution 1373 (2001). The Government of Guatemala hoped that those resolutions, both grounded in Chapter VII of the Charter of the United Nations, could be interpreted in that sense. Lastly, he said that Guatemala would spare no effort to eliminate the scourge of terrorism, within the limits of its abilities.

18. **The Chairman** said he, too, wished to offer his sincere sympathies to the families of the victims of the disasters that had occurred recently in Guatemala, El Salvador, India, Mexico and Pakistan.

19. **Mr. Aliyev** (Azerbaijan), noting that the number of terrorist acts around the world continued to increase, reiterated his country's unequivocal condemnation of terrorism, which threatened the security, sovereignty and territorial integrity of States and undermined peace, democracy and development. Measures to eradicate terrorism should address its root causes, which included unresolved conflicts, poor State-building, poverty and lack of human rights. In addition, action should be taken to tackle the related phenomena of extremism, aggressive separatism, organized crime, drug trafficking, money-laundering and arms proliferation.

20. Regrettably, the need for a coordinated international response to terrorism had not been recognized until after the attacks of 11 September 2001. The 2005 World Summit Outcome had stressed the need to conclude a comprehensive convention on international terrorism during the current session of the General Assembly. Political will on all sides would make it possible to achieve that objective, and Azerbaijan stood ready to play its part. The new instrument would help to fill the gaps in the existing counter-terrorism regime. Azerbaijan also welcomed the recent adoption of the International Convention for the Suppression of Acts of Nuclear Terrorism, which had already been signed by many Member States, including Azerbaijan. It was now crucial to implement all the existing instruments effectively, and Azerbaijan welcomed the contribution of the Security Council in that regard.

21. His Government supported the proposal made by the King of Saudi Arabia to establish an international counter-terrorism centre and also the proposal of Egypt that a special session of the General Assembly should be convened to consider the adoption of an action plan for cooperation against terrorism. All measures to counter terrorism should be strictly based on the rule of law and, in that context, Azerbaijan supported the suggestion of Tunisia that an international counter-terrorism code of conduct should be elaborated.

22. Azerbaijan had acceded to all the international instruments against terrorism and a number of European conventions and had taken steps to amend its domestic legislation accordingly. It was also involved in various regional and international efforts to combat terrorism, including within the framework of bilateral and trilateral agreements. On a practical level, Azerbaijan was providing peacekeeping contingents for a number of trouble spots around the world.

23. Azerbaijan attached great importance to ensuring that the energy and transport corridors across its region were secured against transnational threats, including terrorism. It was therefore involved in strengthening cooperation within the GUAM group of countries (Georgia, Ukraine, Azerbaijan and Moldova), in particular through the establishment of the GUAM Virtual Centre on Combating Terrorism, Organized Crime, Drug Trafficking and Other Dangerous Types of Crime and the GUAM Inter-State Information Management System.

24. **Mr. Al-Abdulla** (Qatar) condemned all forms of terrorism which was the common enemy of all peoples and must be combated. However, the fight against it must be consistent with the principles of the Charter of the United Nations and international law and the norms of international justice, humanitarian law and human rights law. Both goals and the root causes of the phenomenon must be taken into consideration, but double standards should be avoided. Cooperation among Member States and international, regional and non-regional organizations should be broadened to oppose the danger of terrorism.

25. The world expected the United Nations to exercise leadership in the global campaign against terrorism and that was also the position of Qatar. His Highness Sheikh Hamad bin Khalifa Al-Thani had stated at the tenth Islamic Summit Conference in Malaysia in 2003 that terrorism remained one of the most important challenges facing the world and that Qatar supported all measures to eliminate it.

26. Qatar also supported the international legal and political efforts aimed at combating terrorism and believed States needed to reach a compromise formula for the comprehensive convention on international terrorism. A legal definition of terrorism should consider the distinction between acts of terrorism and the right of people to seek liberation from a foreign occupier. It should also consider State terrorism as a part of the terrorism phenomenon.

27. A high-level conference should be convened under United Nations auspices to formulate a joint response of the international community to terrorism in all its forms. The United Nations should play an essential role in global counter-terrorism efforts, provided they were consistent with the goals of the Charter of the United Nations and with international human rights law and international humanitarian law.

28. International efforts should be pursued to promote dialogue and understanding between civilizations, strengthen the culture of peace, and prevent the targeting of specific religions and cultures. Regional conflicts, especially those relating to the question of Palestine and the situation in Iraq, should be addressed. The frustration which induced extremism and terrorism would not disappear without treating the causes of those conflicts. Poverty and social and economic injustice, which provided fertile ground for terrorism, must be eliminated. The United Nations should study the causes of terrorism and draw up a long-term strategy to fight it.

29. Qatar had dealt with terrorism through the rule of law and by strengthening democracy and respect for human rights. It had acceded to regional and international conventions on terrorism and was currently studying the matter of acceding to other related international conventions. It cooperated with the Counter-Terrorism Committee and assumed its legal responsibilities, to implement the Security Council resolutions on terrorism in accordance with the Charter of the United Nations.

30. **Mr. Boonpracong** (Thailand) said that terrorism had become an issue of grave concern to the entire international community, and Thailand unequivocally condemned it. Terrorism undermined freedom from fear and constituted one of the most serious threats to international peace and security.

31. Thailand welcomed the adoption of the International Convention for the Suppression of Acts of Nuclear Terrorism and had been one of the first States to sign it. The Convention was the result of considerable efforts and compromise on all sides and should therefore attract a high level of support from the international community. Thailand encouraged other States to sign and ratify the Convention without delay.

32. The adoption of legal instruments should be accompanied by efforts to address the root causes of terrorism, including poverty, social deprivation, human rights abuses and discrimination. Moreover, it was vital to uphold the protection of human rights in counter-terrorist activities.

33. Thailand supported the proposal made by Egypt to convene a special session of the General Assembly in order to adopt an action plan for cooperation against terrorism, which would build on the momentum of the 2005 World Summit. It would also be worth exploring the idea of establishing an office of a high commissioner on terrorism to ensure coherence among the different United Nations departments and offices dealing with the issue.

34. Thailand endorsed the call made at the 2005 World Summit for the conclusion of the draft comprehensive convention on international terrorism, including resolution of the thorny issue of the definition of terrorism. It was to be hoped that a spirit of compromise would enable past differences to be resolved, since the draft convention was urgently needed by the international community.

35. **Mr. Soe** (Myanmar) condemned the recent terrorist attacks in Indonesia, which had given his country cause to recall the bombings carried out in Yangon on 7 May 2005, in which 23 people had been killed and many others wounded. As a victim of terrorism, Myanmar condemned it in all its forms and manifestations.

36. Myanmar had taken a number of measures to combat terrorism at the national, regional and international levels. It was a party to 10 of the international instruments against terrorism and had signed a further one. Comprehensive laws on counter-terrorism and civil aviation security were currently being drafted. Myanmar had acceded to the United Nations Convention against Transnational Organized Crime and two of the protocols thereto: the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and the Protocol against the Smuggling of Migrants by Land, Sea and Air. It had recently promulgated a law against trafficking in persons to give effect to the relevant provisions of those instruments. It had also passed laws on the control of money-laundering, in accordance with the Forty Recommendations of the Financial Action Task Force on Money Laundering (FATF), and on mutual assistance in criminal matters, with the assistance of the United Nations Office on Drugs and Crime (UNODC) and FATF.

37. Myanmar was involved in a number of regional counter-terrorism initiatives within the context of the Association of Southeast Asian Nations (ASEAN). Like its fellow members of ASEAN, it believed that measures to combat terrorism should be implemented in conformity with international law, particularly the principles of national sovereignty, territorial integrity and non-interference in the internal affairs of States.

38. **Mr. Adekanye** (Nigeria) said that terrorism remained a serious threat to peace and security, undermined the rule of law and democracy and violated human rights. It also destroyed physical and economic infrastructure and impeded sustainable development. Nigeria therefore condemned terrorism as a criminal activity that could not be justified on any grounds.

39. Nigeria commended the measures being taken by the United Nations to combat terrorism, in particular the activities of various Security Council committees, and welcomed the recent adoption of the International Convention for the Suppression of Acts of Nuclear Terrorism. It was vital for the Counter-Terrorism Committee to be properly funded and staffed and for adequate technical assistance to be provided to States that needed it. The visit to Nigeria by the Counter-Terrorism Committee in 2004 had proved very useful. Arrangements were already in place for a further visit to update the Committee on the country's most recent counter-terrorism measures, which included the current enactment of a comprehensive bill to combat terrorism.

40. In the fight against terrorism, it was vital to respect human rights, due process and the rule of law. Moreover, when implementing counter-terrorism measures, the relevant committees should maintain adequate consultation with the authorities of the States concerned and ensure transparency. To that end, his delegation called for clear guidelines for the listing and

delisting of persons and entities alleged to be associated with terrorist acts.

41. Efforts to fight terrorism should go hand in hand with efforts to address its root causes, which included unresolved conflicts, unemployment and poverty. His delegation therefore called for the urgent implementation of the Millennium Development Goals, the Monterrey Consensus of the International Conference on Financing for Development and the 2005 World Summit Outcome.

42. Nigeria reiterated the need to draw a clear distinction between terrorism and legitimate struggles for self-determination, freedom and independence, in accordance with international law. All international efforts to combat terrorism should be based on multilateral action, as authorized by the Charter of the United Nations and other international instruments. In addition, Nigeria called on Member States to plug all loopholes that allowed terrorists to acquire arms. Nigeria welcomed the efforts to negotiate an international instrument on tracing illicit small arms and light weapons, but looked forward to the emergence of a more effective instrument.

43. His delegation supported the call for a high-level conference under United Nations auspices to formulate a joint international response to terrorism. However, the draft comprehensive convention on international terrorism should be adopted first if such a conference was to have maximum impact. He therefore urged all Member States to demonstrate the flexibility and political will required to finalize the draft convention during the current session.

44. The world should unite in its efforts to eliminate the scourge of terrorism, so that all States and peoples could achieve the goal of development in peace and security.

45. **Mr. Barriga** (Liechtenstein) said that his country strongly condemned all acts of terrorism and was committed to contributing fully to international efforts to combat terrorism, including through cooperation with the relevant United Nations bodies. Liechtenstein had on many occasions stressed the need to respect human rights and due process standards in the fight against terrorism, particularly with regard to action taken at the multilateral level, where judicial recourse for individuals was limited. Liechtenstein had also signed the International Convention for the Suppression of Acts of Nuclear Terrorism and was a party to the other 12 international instruments against terrorism.

46. One of the Committee's major tasks at the current session was to finalize the draft comprehensive convention on international terrorism. His delegation was confident that all members of the Committee would work hard to achieve that goal. The draft convention would fill the gaps in the existing international legal regime against terrorism. Virtually all acts commonly regarded as terrorist acts were covered by the existing instruments, but it remained necessary to elaborate a broader definition, both for the sake of legal clarity and in order to ensure that possible future developments in terrorist activities were provided for.

47. **Mr. Limon** (Suriname), speaking on behalf of the Caribbean Community (CARICOM), reiterated CARICOM's total condemnation of terrorism in all its forms and manifestations. In an increasingly interdependent and globalized world, States must cooperate to address the threat to humanity posed by terrorism. A multilateral approach was the only sensible way to achieve that aim.

48. CARICOM commended the progress made by the United Nations in efforts to combat terrorism, including the recent adoption of the International Convention on the Suppression of Acts of Nuclear Terrorism. It also supported the proposal to elaborate a comprehensive strategy to counter terrorism.

49. The member States of CARICOM remained committed to the fight against terrorism. However, as they were small countries with limited resources, it was becoming increasingly difficult for them to meet their international obligations in that regard. They were therefore pleased to note the recognition in the 2005 World Summit Outcome that many States continued to require assistance in implementing the relevant Security Council resolutions. Commitments made to provide such assistance should be fulfilled.

50. CARICOM would work with other Member States to implement the 2005 World Summit Outcome while maintaining respect for human rights and international law. It was vital to promote dialogue among civilizations and to ensure that international cooperation comprised not only measures to fight terrorism in the immediate term but also measures to address its root causes.

51. CARICOM was in favour of a comprehensive convention on international terrorism containing a clear operational definition of terrorism and endorsed the consolidated text prepared by the coordinator of the informal consultations on the draft convention. The member States of CARICOM also welcomed the Secretary-General's identification of elements of a counter-terrorism strategy and would cooperate with other delegations to formulate such a strategy.

52. CARICOM would take all necessary action to achieve a world free of terrorism, while remaining mindful of its duty to abide by the Charter of the United Nations and other provisions of international law.

53. **Mr. Acharya** (Nepal) said that the recent bombing in Bali was a grim reminder of the global menace of terrorism, which seriously threatened international peace and security and impeded social and economic development. Nepal had in recent years been a victim of terrorism that was no different from that experienced elsewhere: it was a form of international terrorism that targeted innocent civilians and undermined human rights, including the most important human right, the right to life.

54. A legal definition of terrorism was essential if terrorism were to be fought effectively through international legal instruments. In simple terms, terrorism could be defined as violence with a purpose that targeted innocent civilians. The wording of the 2005 World Summit Outcome, which condemned terrorism in all its forms and manifestations, committed by whomever, wherever and for whatever purposes, could also be incorporated into a definition of terrorism.

55. No distinction should be drawn between domestic and international terrorism. All terrorist acts, wherever committed, were international in nature because they used funding and resources acquired through clandestine international networks, and all constituted a threat to global peace and security. Moreover, there was no room for selective standards in dealing with terrorism. It was not acceptable to talk of addressing the root causes of terrorism in one place while calling for decisive action against terrorism elsewhere.

56. The Government of Nepal condemned terrorism in all its forms and manifestations and supported the efforts of the United Nations to enhance the national counter-terrorism capacities of Member States. The existing framework of international legal instruments provided a solid basis for those efforts. Nepal was a party to many of those instruments and had adopted domestic measures to implement them. It also welcomed the adoption of the International Convention for the Suppression of Acts of Nuclear Terrorism. Attention should now be focused on finalizing the draft comprehensive convention on international terrorism.

57. His delegation supported the work of the Security Council and its subsidiary bodies in combating terrorism pursuant to the relevant resolutions. The Government of Nepal had taken a number of measures to implement those resolutions and was also committed to implementing the recently adopted Security Council resolution 1624 (2005).

58. The South Asian Association for Regional Cooperation (SAARC) had adopted an Additional Protocol to the SAARC Regional Convention on Suppression of Terrorism. Nepal was a party to the Convention, along with the other six members of SAARC. Regional instruments could help strengthen cooperation between the United Nations and regional bodies in efforts to combat terrorism.

59. The Government of Nepal reiterated its commitment to combating terrorism and called upon the international community to continue cooperating with Nepal in that regard. Concerted action was needed to protect the foundations of peace, justice and democracy from terrorism.

60. **Mr. Hmoud** (Jordan) said that his Government condemned all forms of terrorism, which constituted a threat to international relations and to economic and social development. Terrorists strove to spread hatred among peoples and civilizations and to foment racism and racial and religious discrimination; but they should not be allowed to succeed. Terrorists were not restricted to any one ideology, culture or religion; what made them terrorists was their actions. If that was not well understood, the effect would be to create fertile ground for terrorists to spread their extremist ideology. Similarly, respect for human rights should be built into any counter-terrorism measures at either the national or the international level.

61. On that basis, his delegation supported the strategy outlined by the Secretary-General and hoped that, following the adoption of the 2005 World Summit Outcome, serious consideration would be given to the means to implement it. The General Assembly and the

Security Council should complement each other's efforts. The General Assembly must thus follow up Security Council resolutions with a comprehensive framework based on conviction rather than coercion. His Government had initiated the process of signing and ratifying the International Convention for the Suppression of Acts of Nuclear Terrorism and stood ready to work on resolving outstanding issues relating to the draft comprehensive convention on international terrorism. It welcomed the proposal by Saudi Arabia that a task force should be set up to study the establishment of an international centre to combat terrorism. It also supported the call by the Egyptian delegation for the convening of an international conference on terrorism.

62. **Mr. Makayat-Safouesse** (Congo) said that poverty, exclusion and despair provided no justification for terrorist acts that aimed to undermine the very foundations of States and the values and principles of the United Nations. It was therefore essential to adopt a comprehensive international legal framework which, in conjunction with existing international law, would be effective in countering terrorism in all its forms and manifestations. Even though there were differences over the detail, the political will existed, as shown by the positions adopted by States at the International Counter-Terrorism Conference held in Riyadh in February 2005 and the International Summit on Democracy, Terrorism and Security held in Madrid in March 2005. Further support was provided by the proposals of the High-level Panel on Threats, Challenges and Change and those of the Secretary-General himself. To achieve practical results, flexibility would be required and solutions would need to be found to such problems as the definition of terrorism, the activities of armed forces, the distinction between terrorism and the struggle of peoples for self-determination and the concept of State terrorism. The adoption of the International Convention for the Suppression of Acts of Nuclear Terrorism had shown that the international community could overcome its differences. His delegation trusted that the draft comprehensive convention on international terrorism could be completed during the current session. Any delay in doing so would inevitably be interpreted as a lack of political will on the part of the international community, which would send the wrong message to terrorists. At the same time, the draft convention must observe humanitarian law and respect for human rights.

63. His Government continued to fulfil its obligations under Security Council resolution 1373 (2001) and the Organization of African Unity Convention on the Prevention and Combating of Terrorism. It had ratified most of the sectoral conventions. It had also participated in action by the Central African Economic and Monetary Community (CEMAC) to coordinate action on money-laundering and the financing of terrorism.

64. **Mr. Adsett** (Canada) said that the International Convention for the Suppression of Acts of Nuclear Terrorism, already signed by his Government, represented the penultimate complement to the overarching international legal framework on terrorism, which needed to be completed by rapid agreement on the draft comprehensive convention on international terrorism. The momentum provided by the opening for signature of the International Convention and the adoption of the 2005 World Summit Outcome should be used to finalize negotiations on the draft comprehensive convention. His delegation believed that it should be possible to reach agreement on the basis of the coordinator's text.

65. Efforts to combat terrorism could be successful only if pursued in full compliance with international law, including international human rights, refugee and humanitarian law. The United Nations must uphold its central role in setting international counter-terrorism standards and coordinating the global fight against terrorism. The Committee — and each representative — had an important role to play in meeting the objective of reaching agreement on the draft comprehensive convention during the current session.

66. **Mr. Shin** Kak-soo (Republic of Korea) said that the international community must stand firm in its fight against terrorism. Its message should be clear and its action decisive, because terrorists would interpret any disagreement as an espousal of their causes. Following the welcome adoption of the International Convention for the Suppression of Acts of Nuclear Terrorism, which the Republic of Korea had signed and would shortly ratify, he urged other States to accede to all the anti-terrorism instruments and to work towards the early entry into force of the International Convention. Although the General Assembly had taken the lead in establishing international norms and fostering international solidarity, it was for Member States to bear the responsibility of the fight against terrorism by complying with international agreements and building

a seamless network of international cooperation to that end. His delegation supported the Secretary-General's counter-terrorism strategy. It also valued regional and subregional efforts to combat terrorism, since the holistic approach was essential in suppressing the rapidly developing, clandestine terrorist networks that exploited the benefits of globalization for their own heinous purposes.

67. There was an urgent mandate to adopt the draft comprehensive convention on international terrorism. Although there remained some differences regarding outstanding issues, the General Assembly had shown that it could overcome differences, if States continued to show the flexibility and compromise that had been on display in the unanimous adoption of the International Convention. The momentum created must not be lost. At the same time, the draft comprehensive convention should aim only to fill the gaps that existed in the current instruments. Any attempt to introduce an all-encompassing definition of terrorism would not only stall the completion of the draft convention but distort the relationship between it and the 13 existing instruments. Article 2 of the draft text proposed by the coordinator already provided an operational definition of terrorist acts. His delegation fully supported the right to self-determination, as provided for in draft article 18, paragraph 1, of the coordinator's text, but it would be willing to emphasize the point in a new preambular paragraph. As for the illegal activities of State actors, they were adequately regulated by international law; but the normative tools to fight terrorism perpetrated by non-State actors were lacking. The coordinator's text included all the forms of terrorist activity that needed to be regulated by the draft comprehensive convention. The Committee should make a serious attempt to reach agreement on the last remaining issues.

68. **Mr. Lobach** (Russian Federation) said that, despite the best efforts of the international community to institute effective measures, the terrorist threat remained at a critical level. The most effective response must be based on the standards and principles of international law, and above all the Charter of the United Nations. The priority must be for States to extend and strengthen their cooperation on international law and counter-terrorism. Progress had already been made in that direction over the past year, with the adoption of the International Convention for the Suppression of Acts of Nuclear Terrorism and the adoption of Security Council resolution 1624 (2005). The 2005 World Summit Outcome had also been significant. Even though a full convergence of views had proved impossible, the debate had brought States closer together on a number of key aspects of counter-terrorism and increased the scope for compromise solutions on outstanding issues. It was to be hoped that the call in the World Summit Outcome to complete the draft comprehensive convention on international terrorism would be heeded. The momentum built up over the past months gave rise to hope that that could be achieved.

69. He reiterated his delegation's view that the text proposed by the coordinator should serve as the basis for universally acceptable terminology for the remaining draft articles. It was also important to formulate a comprehensive counter-terrorist strategy, which would be the cornerstone of a contemporary system of collective security. The five elements of the strategy put forward by the Secretary-General should be widely discussed and elaborated. As many Member States as possible should participate in elaborating practical measures, establishing performance indicators, setting up accountability procedures and allocating appropriate roles to the various United Nations bodies. As they stood, the elements needed further refinement and extension.

70. His delegation supported the proposal for the convening of a United Nations high-level conference, at which the international community could devote serious attention not only to a comprehensive counter-terrorist strategy but to a whole range of issues — some very problematic — relating to counter-terrorism.

71. **Ms. Hooker** (New Zealand) said that the terrorist attacks all over the world during the past year demonstrated that no people or region was immune to the horrors of terrorist violence. Her delegation therefore welcomed the decision to develop a comprehensive United Nations counter-terrorism strategy without delay. It also welcomed the impetus given in the 2005 World Summit Outcome to concluding the draft comprehensive convention on international terrorism during the current session.

72. New Zealand had ratified 12 of the 13 United Nations anti-terrorism conventions and had signed the International Convention for the Suppression of Acts of Nuclear Terrorism. While welcoming Security Council resolution 1617 (2005), however, her

delegation believed that further steps should be taken to ensure that the basic standards of due process were met. It supported the European Union's call for enhanced transparency in the procedures for placing individuals and entities on sanctions lists and for removing them from such lists.

73. In the Asia-Pacific Region, New Zealand participated in regional counter-terrorism dialogue. It had recently concluded a counter-terrorism declaration with the Association of Southeast Asian Nations (ASEAN) and a bilateral counter-terrorism memorandum of understanding with Fiji. In June, it had hosted the inaugural Pacific Working Group on Terrorism, as part of a broader effort to work with its regional partners to enhance their common legal and operational counter-terrorism infrastructure. Senior officials from around the Pacific had discussed issues of relevance for Pacific island countries in implementing international counter-terrorism standards. It was important to acknowledge the challenges faced by small developing States in meeting the numerous requirements of international counter-terrorism instruments. Her delegation had thus joined other Pacific countries in suggesting that the Pacific Islands Forum Secretariat should submit a collective report in respect of each Security Council counter-terrorism resolution. It also supported the suggestion that Pacific island countries should meet the Security Council face to face to discuss challenges relating to international counter-terrorism. Meanwhile, it had offered Pacific Island Forum members assistance with the completion of their outstanding reporting requirements under Security Council resolution 1267 (1999), 1373 (2001) and 1540 (2004).

74. It was important to address the underlying causes of terrorism. Dialogue between the leaders of religious communities was an important component of efforts to bridge the divides between communities. The Dialogue on Interfaith Cooperation, sponsored by Australia and Indonesia in 2004, had initiated an important process that could enhance regional peace and security.

75. *Mr. Hmoud (Jordan), Vice-Chairman, took the Chair.*

76. **Mr. Mekdad** (Syrian Arab Republic) said his delegation condemned all forms of terrorism, which posed a danger necessitating joint action by the international community. However, given the efforts by some to treat people exercising their natural right to self-defence as terrorists, a distinction must be drawn between the reprehensible crime of terrorism and the lawful struggle for liberation, defined as a right by the United Nations Charter. It was also necessary to focus on the causes of terrorism.

77. The work of the Ad Hoc Committee and the Working Group established by General Assembly resolution 51/210 made an important contribution to the formulation of a joint response to terrorism. The comprehensive convention on international terrorism should not exclude State terrorism or acts by military forces in contravention of the Charter of the United Nations and international law.

78. His Government endorsed the statement of the Organization of the Islamic Conference (OIC) concerning the holding of an international conference under United Nations auspices; his country had been the first to propose such a conference, in 1986.

79. His Government had examined the elements of the Secretary-General's comprehensive strategy to combat terrorism and hoped that further consultations would lead to the adoption of a strategy that would help to coordinate national efforts and remove ambiguity in the work of United Nations organs regarding counter-terrorism. The strategy should include a definition of State terrorism.

80. The Syrian Arab Republic, which had suffered from terrorism, was fulfilling the requirements of the Counter-Terrorism Committee, including the effective application of sanctions set out in the Security Council lists. His Government affirmed its readiness to continue international cooperation to eliminate terrorism; it had undertaken to ratify most of the counter-terrorism conventions, and had adopted legislation to meet its international obligations under those instruments including the recent law against money-laundering. It had participated in the debate on the International Convention for the Suppression of Acts of Nuclear Terrorism and had been one of the first to sign it. The Syrian Arab Republic was ready to cooperate with a view to the adoption of a comprehensive convention on international terrorism which closed the loopholes in existing conventions.

81. His Government supported the OIC statement concerning the text prepared by the coordinator. The discussion of the text of the comprehensive convention should be transparent, but the coordinator's document was not conducive to transparency and would lead only

to complications and unnecessary procedural arguments at an important stage of the negotiations.

82. **Mr. Ayoob** (Afghanistan) said that his delegation wished to express sincere condolences to the victims of terrorism around the world, particularly those in Bali, scene of the most recent terrorist attacks. Those attacks had demonstrated clearly the ongoing threat that terrorism posed to international peace and security. Afghanistan condemned all acts of terrorism as criminal and unjustifiable, irrespective of their motivations, objectives, forms or manifestations.

83. His delegation believed that the United Nations had a central role to play in the fight against international terrorism and it therefore welcomed the counter-terrorism strategy proposed by the Secretary-General in his report (A/59/2005) and the establishment of a broad legal framework in the field of counter-terrorism. It also supported the idea of convening a high-level conference on terrorism under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism and to pave the way for dialogue, tolerance and understanding among religions, faiths and cultures. Afghanistan was a party to all 12 of the international conventions and protocols on terrorism and was considering becoming a party to the new International Convention for the Suppression of Acts of Nuclear Terrorism. The conclusion of that convention and its subsequent adoption by the General Assembly in April 2005 had been a significant achievement. Now, Member States needed to continue working together in a spirit of cooperation and understanding to finalize the comprehensive convention on international terrorism during the current session of the General Assembly.

84. The Committee would recall the situation that had prevailed in Afghanistan prior to the horrific events of 11 September 2001. Much had changed in the ensuing four years. The determination and political will of the Afghan people, coupled with the assistance of the international community, had resulted in the successful implementation of the Bonn Agreement. A new constitution guaranteeing fundamental freedoms in accordance with the principles of democracy had been adopted, and presidential and parliamentary elections had been held.

85. Having been one of the main victims of international terrorism, Afghanistan was strongly committed to the fight against it. In compliance with the relevant Security Council resolutions, it had adopted new legislative measures against criminal activities on which terrorists relied for support, including transnational organized crime, arms-smuggling, the production and trafficking of drugs and money-laundering. In addition, it had formulated a national drug control strategy, created a counter-narcotics ministry and established a special tribunal to prosecute those associated with the cultivation, production and trafficking of illegal drugs. In that respect, his delegation commended the United Nations Office on Drugs and Crime and its Terrorism Prevention Branch for the initiatives taken under the Global Programme against Terrorism.

86. While Afghanistan had achieved a great deal in recent years, it continued to face challenges. Terrorists remained an obstacle to peace and democracy. The remnants of the Taliban, Al-Qaida and other extremists and fanatics continued to attack Afghan citizens and threaten their security. To end terrorism and solve the drug problem, Afghanistan had to further develop democratic values, create jobs for the young and the unemployed, find alternative livelihoods for poor farmers who cultivated narcotic drugs, promote dialogue and tolerance among the different political groups, provide education for its citizens, build hospitals and clinics and, most importantly, address human development and human rights issues, especially with respect to the rights of women. To succeed, it would need the long-term assistance and cooperation of the international community. His delegation thanked all those who were involved in the fight against terrorism in Afghanistan and the surrounding region and appealed to the international community not to falter in helping the country to defeat terrorists and their extremist and fanatical ideologies.

87. **Ms. Schneeberger** (South Africa) said that her Government joined the rest of the international community in condemning terrorism in all its forms and manifestations and extended its deepest condolences to the victims of terrorism in Bali and around the world. It supported international efforts to combat terrorism, including the creation of a comprehensive legal framework to prevent and punish terrorist acts in accordance with the principles of international law and the purposes and principles of the Charter of the United Nations. South Africa was convinced that an international legal framework for cooperation among States, coupled with strong

domestic measures, would eventually yield results in combating terrorism. It had therefore become a party to 11 of the 12 counter-terrorism conventions, and the process for ratification of the twelfth convention was under way.

88. In the past year, her Government had adopted comprehensive counter-terrorism legislation that made South Africa fully compliant with the various international conventions and protocols and with the African Union Convention on the Prevention and Combating of Terrorism. The legislation created a general offence of terrorism and offences related to terrorist activities, as well as specific terrorist offences, such as terrorist bombings, hijacking of aircraft and hostage-taking.

89. South Africa welcomed the adoption of the International Convention for the Suppression of Acts of Nuclear Terrorism, which it had already signed. She was confident that the same spirit of compromise that had made it possible to conclude that convention would prevail during the current session of the General Assembly, leading to the finalization and adoption of the comprehensive convention on international terrorism. Her delegation pledged its full cooperation towards that end.

90. **Mr. Toro Jiménez** (Bolivarian Republic of Venezuela) reiterated his delegation's condemnation of international terrorism in all its forms and manifestations, which, in its view, included actions that were supposedly justified as "collateral effects" of a foreign invasion. Another powerful, effective and far from negligible component of terrorism was the daily stream of lies, misrepresentations, disinformation and manipulations put out by national and international media corporations in the service of imperialism, which distorted information and hid the truth about peoples who, in the exercise of self-determination, were building their own destiny and making a new world possible. In that respect, it was essential to clearly distinguish terrorist acts from the legitimate exercise of self-defence by peoples whose right to self-determination and whose territorial and political sovereignty were being threatened or violated.

91. His delegation extended its condolences to the people and Government of Indonesia and hoped that the perpetrators of the recent terrorist attack in Bali would be apprehended and brought to justice. Should those individuals be found in another country, however, he hoped that Indonesia would not have the same experience that Venezuela had had when it had requested the extradition of Luis Clemente Posada Carriles, a terrorist of Venezuelan nationality under the protection of the United States Central Intelligence Agency (CIA). The Bolivarian Republic of Venezuela categorically rejected the decision of the Government of the United States of America, which had refused to deport Posada Carriles on the ground that he might be tortured in the Bolivarian Republic of Venezuela. The Venezuelan Constitution enshrined respect for the physical, mental and moral integrity of all individuals and expressly prohibited torture and degrading treatment. Moreover, his country was a party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and it had not been cited by any international organization in recent years for having inflicted torture on any of its inhabitants. It abided by national and international guarantees against torture, as had been demonstrated in cases in which it had deported or extradited fugitives from justice from neighbouring countries.

92. His Government also supported the fight against terrorism through international and regional agreements and through bilateral treaties with a number of countries. It had signed numerous extradition treaties as well. It had submitted regular reports to the Security Council Counter-Terrorism Committee and to the Inter-American Committee Against Terrorism. At the national level, it had enacted anti-terrorism legislation. In sum, it maintained a diligent, responsible and consistent attitude towards terrorism.

93. In his Government's view, terrorists included not only those who committed terrorist acts but also those who harboured terrorists. In that regard, it could not fail to remark the inconsistent position of the Government of the United States, which had so often repeated those same words and yet was harbouring Posada Carriles and other terrorists, such as the Reverend Pat Robertson, a prominent figure in the Republican Party, who had recently called for the assassination of the President of the Bolivarian Republic of Venezuela.

94. Resolution 3034 (XXVII), adopted in 1972, had been the first General Assembly resolution on terrorism. It had been followed by a number of others, all of which unequivocally reaffirmed the inalienable right to self-determination and independence of

peoples subject to colonial and racist regimes or to any other form of foreign domination. Accordingly, in establishing the basis, reasons and criteria for the elimination of terrorism, States must recognize the legitimacy of armed struggle by such peoples to free themselves from repressive and terrorist acts committed by colonial and neocolonial powers in violation of their right to self-determination. That right, along with other important concepts such as State terrorism and the distinction between the legitimate struggle of peoples and foreign occupation, should be addressed by the comprehensive convention on international terrorism, in the preparation of which his delegation stood ready to participate.

95. **Ms. Kaplan** (Israel) noted that the past year had been a landmark year in the fight against terrorism by the global community. The conclusion of the International Convention for the Suppression of Acts of Nuclear Terrorism, the Secretary-General's report (A/59/2005) and his global strategy for fighting terrorism, and other documents and resolutions, notably Security Council resolutions 1566 (2004) and 1624 (2005), had all combined to create a unique momentum for the sixtieth session of the Sixth Committee and to reinforce the principle that no cause or grievance, however noble, could justify recourse to terrorism. Israel supported the goal of concluding a comprehensive convention on international terrorism during the current session; however, that achievement should not come at the cost of diluting the principles that would make the convention an effective tool in the fight against terrorism, particularly the basic legal and moral principle that the furtherance of political or ideological goals could never justify the murder of the innocent.

96. Self-evident as that principle sounded, many terrorist groups and States which supported them continued to insist that there were situations that gave rise to a so-called right to struggle or to resist that might somehow excuse the murder of innocents. The past year had seen considerable progress in advancing recognition that that was not the case. As the Committee approached what her delegation hoped would be the final negotiations on the text of the comprehensive convention, it must ensure that its clarity of focus was not lost and that the deliberate targeting and murder of innocents was recognized for the atrocity that it was. In that context, her delegation wished to recall that the text of article 18 of the draft convention reflected a significant compromise by States that did not consider it appropriate to include a reference to a general right of self-determination in a text designed to outlaw recourse to terrorism in all circumstances. Israel urged all States to oppose any proposal that would have the effect of creating a pretext for justifying or excusing terrorist activity or providing terrorist groups with an outlet for casting their atrocities in a positive or acceptable light.

97. While terrorism raised difficult issues for every country, it presented democracies with almost insurmountable challenges. The desire to conduct the fight against terror within the limits of international law and not in a normative vacuum could create excruciating dilemmas. In applying the rule of law, democratic States must strike a difficult and sensitive balance between two conflicting principles: the right to human security and the right to life on the one hand, and the freedom of the individual on the other. Freedom of speech was one of the vital principles of democracy. However, freedom of expression was not the freedom to incite. Israel attached great importance to Security Council resolution 1624 (2005), which acknowledged the role of incitement in fostering a culture in which terrorism could flourish.

98. For years, terrorist organizations had flouted humanitarian principles by hiding behind civilians. Now, an increasing number were adopting a similar tactic on the political level and hiding behind civil society and democratic institutions. No society should allow terrorist organizations to exploit its democratic institutions. No terrorist should be allowed to claim legitimacy or recognition simply by claiming to be democratically elected. The international community must muster the same firm resolve to confront terrorism whatever the mask that it sought to hide behind. In so doing, it was important to remember not only what was being fought against but what was being fought for, namely the most fundamental principles cherished by individuals and society at large: the right to life, the most basic freedoms and the rule of law. Those were the values that the terrorists sought to destroy and they were the values that Member States must commit themselves to defend.

The meeting rose at 1 p.m.